

REMARKS

The application has been reviewed in light of the Office Action dated June 19, 2007.

Claims 14-24 are pending in this application, with claims 14, 23 and 24 being in independent form.

Claims 1-13 have been canceled without prejudice and claims 14-24 have been added.

Claims 2-4, 6 and 8-13 were rejected under 35 U.S.C. 102(b) as allegedly anticipated by U.S. Patent 6,375,180 to Kawano (the '180 patent). Claims 2-6 and 8-13 were rejected under 35 U.S.C. 103(a) as allegedly obvious from U.S. Patent 5,449,157 to Kawano (the '157 patent) in view of U.S. Patent 6,491,492 to Cook. Claims 1-13 have been canceled without prejudice and replaced with claims 14-24. Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submit independent claims 14, 23 and 24 are patentable over the cited art, for at least the following reasons.

The '180 patent relates to a device in which a first sheet P1 is fed in path g1 by being gripped between the conveyance rollers 21 (allegedly corresponding to applicant's claimed first roller pair), passes path g1, passes the path h while being gripped between the conveyance roller means 31 (allegedly corresponding to applicant's claimed second roller pair), and is stopped when the leading edge portion of the sheet comes in contact with the outer circumferential roller surface in the neighborhood of the nip position of the roller means 32 which are in the still standing condition. In this stopped state of the sheet, the trailing edge portion of the sheet P1 remains in the path g1 to make it possible to prevent interference with the leading edge portion of the succeeding sheet P2 (See column 9, lines 53-65). Before the leading edge portion of the second sheet P2 passes through the conveyance rollers 21, the end portion of the switching gate D3 is

oscillated downward to open the path g2, and the sheet P2 passes the path g2 and is stopped so that the leading edge portion of the sheet is in contact with the outer circumferential roller surface in the neighborhood of the nip position of the roller means 32 which are in the still standing state. Accordingly, the sheets P1 and P2 are in an overlapped state and each of the leading edge portions of the sheets P1 and P2 is in contact with the roller outer circumferential surface of the roller means 32 and are stopped (Column 10, lines 1-17). Further, the first sheet P1 and the second sheet P2 are gripped in the overlapped state by the roller means 32 at the same time and are ejected onto the intermediate stacker 33 (jogging tray)(C10, L18-L23).

However, Applicant finds no teaching or suggestion in the '180 patent that the first sheet P1 and the second sheet P2 are gripped by the roller means 31 (second roller pair) such that leading edges of the overlapped sheets P1 and P2 are shifted stepwise one after another as in Applicant's present disclosure.

The Office Action also indicates that the '180 patent discloses an open area by referring to the area between D2 and D3. However, the area between D2 and D3 is a sheet conveying path g2 conveying the second sheet P2 from the rollers 21 to the roller means 31 (see FIG. 5) and is not an open area as claimed.

For example, the open area as presently claimed enables the trailing edge of the sheet to retreat from the conveying path between the first roller pair and the second roller pair. Applicant finds no teaching or suggestion in the '180 patent of such open area.

The Office Action indicates that the '157 patent discloses an open area by referring to the area between jogging tray 426 and discharge trays. (It is noted that in the previous Office Action, the Office Action referred to the area between second roller pair 421, 422 and jogging tray 426

as the open area). In either case, the open area as presently claimed is provided between the first roller pair and the second roller pair, and no such open area is described or illustrated in the '157 patent.

Accordingly, Applicant submits independent claims 14, 23 and 24 are patentable over the cited art.

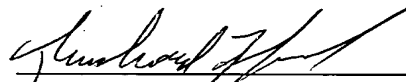
The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this amendment and allowance of this application are respectfully requested.

Respectfully submitted,



RICHARD F. JAWORSKI

Reg. No. 33,515

Attorney for Applicant

Cooper & Dunham LLP

Tel.: (212) 278-0400